



## Department of Energy

Washington, DC 20585

May 4, 2000

Honorable Richard A. Meserve  
Chairman  
OCM/RAM  
Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Mr. Chairman:

On November 30, 1999, the Department of Energy (DOE) issued a supplemental notice of proposed rulemaking to amend the General Guidelines for Nuclear Waste Repositories and to issue new proposed Yucca Mountain Site Suitability Guidelines. The notice opened a nearly 90-day public comment period, during which time the Department also held two public hearings in Nevada. The supplemental proposal, similar to the Department's 1996 proposal, provided for the Yucca Mountain site to be determined suitable by the Secretary of Energy under the guidelines, only if DOE demonstrates that the site is likely to meet applicable radiation protection standards.

DOE is now planning to move forward with a notice of final rulemaking that addresses the comments and concerns raised by the public during the recently closed proposed rulemaking process. Consistent with the process followed with the issuance of the original guidelines in 1984, enclosed for the Commission's review and concurrence are the revised draft final General Guidelines for Nuclear Waste Repositories and Yucca Mountain Site Suitability Guidelines. In preparing the draft final rule, DOE has addressed the Commission Staff's comments received on the proposal.

I would appreciate the Commission's timely consideration of the draft final rule and its concurrence to allow the Department to utilize the final rule in the upcoming site recommendation process that is planned to begin this Fall. Copies of the public comments and hearings transcripts are also being forwarded to assist the Commission in its concurrence process.



Should any questions arise concerning our rulemaking, please contact Christopher Kouts of my staff (202-586-1253).

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Itkin", written in a cursive style.

Ivan Itkin, Director  
Office of Civilian Radioactive  
Waste Management

Enclosure(s)